IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 434 (S/B) of 2003

Sri Krishna Ram

S/o Late Sri Jhagar Ram

Chief Pharmacist Female Hospital,

Haldwani,

Nainital, Uttaranchal. …… Petitioners

Vs.

State of Uttaranchal and others …… Respondent

Sri J.C.Joshi, Advocate for the petitioners
Sri N.B.Tiwari, Advocate for the respondents.

Coram: Hon. S.H. Kapadia, C.J.
Hon. P.C. Verma, J.
Dated: 08.08.2003

PC

Rule.

By the consent of parties rule is made returnable forthwith.

The petitioner is the Chief Pharmacist. He has been posted at Haldwani . (Nainital) for last seven years. He has now been transferred to hospital at Nainital in the same district. It is the case of the petitioner that his transfer was made in public interest in order to accommodate Mr. Nitwal, who has been transferred from Nainital to Pithoragarh on personal request.

It is also contended transfers have been made in large number in personal request alongwith transfers in public interest. It is alleged that entire exercise is arbitrary and malafide. We do n ot find any merit in the petition. It is conceded that the petitioner is accupying a transferable post. It is also conceded that he is at Haldwani for seven year. It is equally well settled that in public administration norms transfers are after three years. It is also important that the petitioner has been transferred in the same district from Haldwani to Nainital.

The petition is accordingly rejected.

Let the copy of the order may be expedited.

(P.C.Verma, J) (S.H. Kapadia, C.J.)